

SUBCHAPTER 2. REGISTRATION REQUIREMENTS AND PROCEDURES

7:14B-2.1 General registration requirements

(a) Any person that owns or operates an underground storage tank system shall register each tank with the Department.

(b) Any person that owns or operates an underground storage tank system who notified the Department pursuant to Section 9002 of the "Hazardous Solid Waste Amendments of 1984 to the Resource Conservation and Recovery Act", 42 U.S.C. §§ 6901 et seq., shall comply with all requirements set forth in this chapter.

(c) Any person that owns or operates an underground storage tank system shall only use such tank upon receipt of a valid Registration Certificate issued by the Department.

(d) Any person that owns or operates an underground storage tank system that began use of the tank on or before December 21, 1987 shall register the tank system with the Department no later than 60 days following this date. Any person that owns or operates an underground storage tank system that was installed after December 21, 1987 shall register the tank system with the Department 30 days prior to the use of that tank system.

(e) Any person that owned or operated an underground storage tank system which was removed from the ground on or after September 3, 1986 shall register that tank system for the period between September 3, 1986 and the date that the tank system was removed.

(f) Any owner or operator intending to close an underground storage tank system shall register the underground storage tank system with the Department before these closure activities are begun.

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7:14B-2.2 Registration and certification procedures

(a) Any person that owns or operates a facility shall file registration and certification information on the New Jersey Underground Storage Tank Facility Certification Questionnaire.

(b) All registration and certification forms shall be obtained from and accurately completed, signed, dated and returned to the address below:

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New Jersey Department of Environmental Protection
Division of Remediation Support
Bureau of Fund Management, Compliance & Recovery
PO Box 028
401 East State Street
Trenton, NJ 08625-0028
Attn: UST Registration/Certification Section

(c) The owner or operator of a facility shall complete the New Jersey Underground Storage Tank Facility Certification Questionnaire prior to expiration of the facility's Registration Certificate. The Department may issue a Registration Certificate to the registrant following submission of the complete New Jersey Underground Storage Tank Facility Certification Questionnaire. The Department will issue the Registration Certificate for a maximum period of three years. The expiration date of the Facility Certification will be specified on the Registration Certificate.

(d) The owner or operator of a facility shall during initial registration, at a minimum, supply the following information on the New Jersey Underground Storage Tank Facility Certification Questionnaire:

1. The name, location, and contact person for the facility;
2. The name and address of the facility owner;

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3. The number and type of underground storage tank systems at the facility, including, but not limited to, contents, size, age, type of construction and other characteristics of the tank system;

4. A site plan of the facility, including the location of the tanks, lines, pumps, dispensers, fill pipes, and other features of the tank system, including the distance from existing buildings and property boundaries; and

5. Provide the following information for all general liability insurance or other financial responsibility mechanisms:

i. Type of mechanism;

ii. Carrier or issuing institution;

iii. Date of coverage;

iv. Policy number (if applicable); and

v. Policy amount (if applicable).

(e) The owner or operator of a facility shall during Certificate renewal, at a minimum, supply the following information on the New Jersey Underground Storage Tank Facility Certification Questionnaire:

1. Certification that the facility is in compliance with this chapter;

2. Notification of any changes to the status of the facility; and

3. Provide the following information for all general liability insurance or other financial responsibility mechanisms:

- i. Type of mechanism;
- ii. Carrier or issuing institution;
- iii. Date of coverage;
- iv. Policy number (if applicable); and
- v. Policy amount (if applicable).

(f) The owner or operator of a facility having made any change in status to the underground storage tank system since the initial registration shall, at a minimum, supply the following information on the New Jersey Underground Storage Tank Facility Certification Questionnaire:

- 1. Identify whether the underground storage tank located at the owner or operator's facility is being installed, abandoned, removed, sold or transferred, or substantially modified;
- 2. The name and address of the owner or operator;
- 3. The facility name and location;
- 4. The identification number of the affected tank as it appears on the New Jersey Underground Storage Tank Facility Questionnaire;
- 5. The underground storage tank registration number (if known);

6. Specific information concerning transfer of ownership, abandonment or removal, substantial modifications and new or replacement installations, depending on which activity is applicable;

7. Certification that the facility is in compliance with this chapter; and

8. Provide the following information for all general liability insurance or other financial responsibility mechanisms:

i. Type of mechanism;

ii. Carrier or issuing institution;

iii. Date of coverage;

iv. Policy number (if applicable); and

v. Policy amount (if applicable).

7:14B-2.3 Transfer of registration

(a) A Registration Certificate issued by the Department is not transferable.

(b) The owner or operator of an underground storage tank system shall notify the Department of any change in the ownership of a facility within 30 days after the contract date or the date of closing on the New Jersey Underground Storage Tank Facility Certification Questionnaire obtainable from the Department at the address provided in N.J.A.C. 7:14B-2.2(b) and in accordance with the procedures for reporting modifications set forth in N.J.A.C. 7:14B-2.4.

(c) The Department may issue to the new owner or operator a new Registration Certificate indicating all changes that appear on the New Jersey Underground Storage Tank Facility Certification Questionnaire.

7:14B-2.4 Changes to registration

(a) The owner or operator of a facility shall amend a facility's registration to reflect any modification of any information included in the New Jersey Underground Storage Tank Facility Certification Questionnaire. Each modification shall be reported to the Department on a separate New Jersey Underground Storage Tank Facility Certification Questionnaire within 30 days after completion of the modification except as provided for in (c) below.

(b) Modifications include, but are not limited to, the following:

1. The sale or transfer of ownership of a facility;
2. The substantial modification of a facility;
3. A change in the type of hazardous substances stored at a facility.

(c) The owner or operator intending to close an underground storage tank system in accordance with N.J.A.C. 7:14B-9 shall submit a New Jersey Underground Storage Tank Facility Certification Questionnaire within seven calendar days after the closure of the tank system.

7:14B-2.5 Public access to registration information

(a) All completed New Jersey Underground Storage Tank Facility Certification Questionnaires, as well as documented information pertaining to the registration, shall be considered public records pursuant to N.J.S.A. 47:1A-1 et seq.

(b) Interested persons shall request in writing an appointment to review the public records.

7:14B-2.6 Registration certificate

(a) The owner or operator of an underground storage tank system shall prominently display a valid Registration Certificate at the facility or shall make the Registration Certificate available for inspection by any authorized local, State or Federal representative.

(b) The owner or operator of more than 25 separate facilities may request, in writing to the Director at the address set forth at N.J.A.C. 7:14B-2.2(b), that the Department mail the Registration Certificates of the multiple facilities to a single address. The owner or operator shall be responsible for ensuring that the Registration Certificates are then sent to the proper facilities.

7:14B-2.7 Denial or revocation of registration

(a) The Department may, in its discretion, deny the issuance of a Registration Certificate upon a determination of the following:

1. The New Jersey Underground Storage Tank Facility Certification Questionnaire is incomplete, contains inaccurate information and/or is illegible;
2. The owner or operator fails to enclose the accurate Registration Fee with the New Jersey Underground Storage Tank Facility Certification Questionnaire pursuant to N.J.A.C. 7:14B-3.1; or
3. The owner or operator fails to comply with any requirement of the State Act or this chapter.

(b) The Department may revoke the registration of a facility upon a determination of the following:

1. The New Jersey Underground Storage Tank Facility Certification Questionnaire contains false or inaccurate information;
2. The owner or operator has failed to submit a New Jersey Underground Storage Tank Facility Certification Questionnaire pursuant to N.J.A.C. 7:14B-2.2;
3. The owner or operator has failed to pay the Facility Certification fee pursuant to N.J.A.C. 7:14B-3.2;
4. An authorized representative is denied access to the facility during any reasonable hour; or
5. The owner or operator has failed to comply with any requirement of the State Act or this chapter.

(c) The Department shall inform an owner or operator of the denial or revocation of registration by Notice of Intent to Deny Registration or Notice of Intent to Revoke Registration. This Notice shall include:

1. The specific grounds for denial of issuance as set forth in N.J.A.C. 7:14B-2.7(a) above; or
2. The specific grounds for revocation as set forth in N.J.A.C. 7:14B-2.7(b) above.

(d) The Department shall serve this Notice to an owner or operator by certified mail (return receipt requested) or by personal service.

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(e) An owner or operator that receives a Notice from the Department denying or revoking a registration shall not use the tank as required by N.J.A.C. 7:14B-2.1(c).

(f) Any person whose registration has been denied or revoked may request a hearing pursuant to N.J.A.C. 7:14B-12.2(a).

7:14B-2.8 (Reserved)